



**BILL NO:** House Bill 175  
**TITLE:** Public Safety - Ammunition - Sales and Transfers  
**COMMITTEE:** Judiciary  
**HEARING DATE:** March 1, 2021  
**POSITION:** **SUPPORT**

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The Maryland Network Against Domestic Violence (MNADV) is the state domestic violence coalition that brings together victim service providers, allied professionals, and concerned individuals for the common purpose of reducing intimate partner and family violence and its harmful effects on our citizens. **MNADV urges the House Judiciary Committee to issue a favorable report on HB 175.**

House Bill 175 would require a background check for certain individuals that do not possess a handgun qualification license prior to the purchase of ammunition. Maryland law currently prohibits certain persons from owning or possessing firearms including when previously convicted of certain crimes, when under a civil protective order, or pursuant to an Extreme Risk Protective Order. Pursuant to Public Safety § 5-133.1 it is unlawful for a prohibited person to possess ammunition. However, the purchaser of ammunition is not subject to a background check. HB 175 creates the background check requirement for the purchase of ammunition.

Both the firearm and ammunition purchases should be subject to background checks. The Supreme Court stated in *District of Columbia v. Heller* that “[l]ike most rights, the right secured by the *Second Amendment* is not unlimited.”<sup>1</sup> A prohibited person could unlawfully obtain a firearm and purchase ammunition and subsequently possess or use both. A background check is not an onerous process taking less than 2 minutes. There have been approximately 300,000 individuals with a documented history of domestic abuse prevented from purchasing firearms as the result of background checks since the creation of the federal background check system.<sup>2</sup>

Higher rates of firearm ownership correlate to a higher rate of domestic violence homicide according to a 2019 study.<sup>3</sup> There is a 65% higher incidence rate of domestic firearm homicide in

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<sup>1</sup>*District of Columbia v. Heller*, 554 U.S. 570, 626 (2008).

<sup>2</sup> [https://giffords.org/lawcenter/gun-laws/policy-areas/who-can-have-a-gun/domestic-violence-firearms/#footnote\\_10\\_5621](https://giffords.org/lawcenter/gun-laws/policy-areas/who-can-have-a-gun/domestic-violence-firearms/#footnote_10_5621)

<sup>3</sup> Kivisto, A.J., Magee, L.A., Phalen, P.L., Ray, B.R. (2019). Firearm ownership and domestic versus nondomestic homicide in the U.S. *American Journal of Preventive Medicine*, Abstract:

[https://www.ajpmonline.org/article/S0749-3797\(19\)30197-7/fulltext#articleInformation](https://www.ajpmonline.org/article/S0749-3797(19)30197-7/fulltext#articleInformation)

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the states with the highest firearm ownership compared to states with lower ownership rates.<sup>4</sup> Since women are the most common victims of domestic violence homicide, they are most at risk with increased gun ownership.<sup>5</sup> Black women are disproportionately the victims of domestic violence homicide with a firearm with an estimated 51.3% of Black adult female homicides found to be related to intimate partner violence.<sup>6</sup> The risk of homicide for women increases by 500% with the presence of a gun in the home.<sup>7</sup>

For the above stated reasons, the **Maryland Network Against Domestic Violence** urges a **favorable report on HB 175**.

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<sup>4</sup> Merovsh, Sarah. "Gun Ownership Rates Tied to Domestic Homicides, but Not Other Killings, Study Finds," NY Times, (July 22, 2019) <https://www.nytimes.com/2019/07/22/us/gun-ownership-violence-statistics.html>

<sup>5</sup> *Id.*

<sup>6</sup> Petrosky, E., Blair, J.M., Betz, C.J., Fowler, K.A., Jack, S.P.D., & Lyons, B.H. (2017). Racial and ethnic differences in homicides of adult women and the role of intimate partner violence - United States, 2003-2014. MMWR. Morbidity and Mortality Weekly Report, 66(28), 741-746. Retrieved from <https://www.cdc.gov/mmwr/volumes/66/wr/pdfs/mm6628a1.pdf>.

<sup>7</sup> The National Domestic Violence Hotline, Retrieved 1/29/21, <https://www.thehotline.org/resources/safety-planning-around-guns-and-firearms/>

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